

REMARKS

Claim 1 has been amended. Claims 2, 3, 6, 8, and 10-16 have been withdrawn as to a non-elected invention. Claims 1-16 are pending. A petition for extension of time (one-month) is concurrently filed herewith. Applicants reserve the right to pursue the original claims and other claims in this and other applications. Applicants respectfully request reconsideration of the above-referenced application in light of the amendments and foregoing remarks.

At the outset, Applicants respectfully submit that claim 7 is incorrectly designated as being withdrawn from consideration. Applicants filed a Response to Restriction Requirement dated October 12, 2004. In the Response, Applicants elected Group I, claims 1, 4-5, 7, and 9, for continued examination. Accordingly, claim 7 has not been withdrawn from consideration.

Moreover, Applicants acknowledge with appreciation that claim 5 would be in condition for allowance if rewritten in independent form including all of the limitations of its base claim. Applicants respectfully submit, however, that claims 1, 4-5, 7, and 9, are in condition for allowance over the cited prior art of record for the foregoing reasons.

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent App. Pub. 2004/0198066 ("Verhaverbeke"). The rejection is respectfully traversed.

The present application claims foreign priority to Japanese patent application no. 2002-334781, filed on November 19, 2002. A claim for priority and a certified submission of the foreign priority document was filed on January 28, 2004. Applicants can claim the benefit of the priority foreign filing date, *i.e.*, November 19, 2002, if

Verhaverbeke has a filing date after the priority foreign filing date, *i.e.*, November 19, 2002, and before the U.S. filing date. See M.P.E.P. § 201.15 (Right of Priority, Overcoming a Reference). In this case, Verhaverbeke is not prior art under 35 U.S.C. § 102(e)(1) since its U.S. filing date is March 21, 2003.

Consequently, an accurate English-language translation of the Japanese priority application is being filed concurrently herewith. M.P.E.P. § 201.15. Accordingly, the rejection should be withdrawn.

Claims 1, 4 and 9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent App. Pub. 2004/123484 ("Yoshikawa"). The rejection is respectfully traversed.

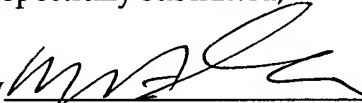
For similar reasons provided above, Yoshikawa is not prior art under 35 U.S.C. § 102(e)(1) since its U.S. filing date is October 21, 2003. The present application claims foreign priority to Japanese patent application no. 2002-334781, filed on November 19, 2002. An English-language translation of the Japanese priority application is being filed concurrently herewith. M.P.E.P. § 201.15. Accordingly, the rejection should be withdrawn.

In view of the above, each of the presently pending claims, *i.e.*, 1, 4, 5, 7, and 9, in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to review and pass this application to issue.

Dated: April 4, 2005

Respectfully submitted,

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